CONFERENCE ON DISARMAMENT

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LETTER DATED 15 MAY 1997 FROM THE PERMANENT REPRESENTATIVE OF INDIA ADDRESSED TO THE PRESIDENT OF THE CONFERENCE ON DISARMAMENT TRANSMITTING THE SECTION ON "DISARMAMENT AND INTERNATIONAL SECURITY" OF THE FINAL DOCUMENT ADOPTED AT THE XII MINISTERIAL CONFERENCE OF THE MOVEMENT OF NON-ALIGNED COUNTRIES HELD IN NEW DELHI, 7-8 APRIL 1997

I have the honour to enclose herewith the section on 'Disarmament and International Security' (paras 54 to 71) of the Final Document adopted at the XII Ministerial Conference of the Movement of Non-Aligned Countries held in New Delhi, 7-8 April, 1997.

I should be grateful if the enclosed document is circulated as an official document of the Conference on Disarmament.

(Signed) Arundhati Ghose

EXTRACTS FROM THE FINAL DOCUMENT ADOPTED AT THE XIIth MINISTERIAL CONFERENCE OF THE MOVEMENT OF NON-ALIGNED COUNTRIES, NEW DELHI, APRIL 7-8, 1997

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J DISARMAMENT AND INTERNATIONAL SECURITY

54. The Ministers noted that with the end of the cold war, there is no justification for nuclear arsenals, or concepts of international security based on promoting military alliances and policies of nuclear deterrence. While the end of the cold war had created unprecedented opportunities to promote this objective, regrettably there had been assertions which sought to justify continued reliance on nuclear doctrines, in certain cases against non-nuclear-weapon states. The Ministers recalled that the Cartagena Summit had called for the adoption of an Action Plan for the elimination of nuclear weapons within a time-bound framework. They called upon the international community to join them in negotiating and implementing universal, non-discriminatory disarmament measures and mutually agreed confidence-building measures.

55. The Ministers noted and welcomed the various international initiatives which stress that the opportunity now exists for the international community to pursue nuclear disarmament as a matter of the highest priority. They also noted that our present situation whereby nuclear-weapon states insist that nuclear weapons provide unique security benefits, and yet monopolize the right to own them, is highly discriminatory, unstable and cannot be sustained.

56. The declarations that nuclear weapons continue to offer security to the nuclear weapon states could contribute to the escalation of the nuclear threat and were contrary to their undertakings to fulfill nuclear disarmament obligations. Nuclear weapons continued to exist in massive numbers and in a state of operational readiness. It was imperative that security in the post-Cold War era should be promoted through drastic reductions in nuclear weapons and their eventual

elimination. They called for a series of agreed measures forming part of a programme for nuclear disarmament leading to a nuclear-weapon-free world.

57. The Ministers welcomed the advisory opinion of the International Court of Justice that "there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control". They noted and welcomed the growing body of authoritative international opinion which stressed that nuclear disarmament should be pursued by the international community as a matter of the highest priority. They recalled that a number of NAM countries had taken collective initiatives at the 50th and 51st UNGA sessions to underscore the need for urgent action in the field of nuclear disarmament, as mandated at the Cartagena Summit. The Ministers welcomed the useful work that had been done by a number of NAM countries, members of the Conference on Disarmament, in developing an Action Plan for nuclear disarmament within a time-bound framework.

58. The Ministers:

- called on the Conference on Disarmament to establish, on priority, an adhoc committee to start negotiations on a phased programme for the complete elimination of nuclear weapons within a specified framework of time, including a Nuclear Weapons Convention. A universal and legally binding multilateral agreement should be concluded committing all States to the complete elimination of nuclear weapons;

- urged Nuclear Weapon States to agree to commence the negotiations in the Conference on Disarmament on a legally binding international instrument to provide unconditional assurances to all non-nuclear weapon states against the use or threat of use of nuclear weapons;

- urged Nuclear Weapon States to agree to commence negotiations in the Conference on Disarmament on a legally binding international convention prohibiting the use or threat of use of nuclear weapons under any circumstances, pending the complete elimination of nuclear weapons;

- supported the convening of the Fourth Special Session of the United Nations General Assembly devoted to disarmament, and

- expressed satisfaction at the work of the Working Group on Disarmament established by the NAM Coordinating Bureau in New York.

59. The Ministers noted with concern that, though the Chemical Weapons Convention will enter into force on 29 April, 1997, the two declared possessors of chemical weapons have still not ratified it, which jeopardises both the necessary universal and disarmament character of the Convention as originally conceived, which has been the guiding principle during the protracted negotiations through which the Convention was achieved. The Ministers emphasised that the First Conference of States Parties should adopt the appropriate measures towards ensuring that the Convention is operationalised in a fair, equitable and non-discriminatory manner that safeguards the principle of universality and the disarmament character integral to the Convention. The Ministers further emphasised that the outstanding issues before the Preparatory Commission needed to be satisfactorily resolved in order to ensure effective implementation of the Convention. In this context, they called on the developed countries to promote international cooperation through the transfer of technology, material and equipment for peaceful purposes in the chemical field and the removal of all existing multilateral as well as national discriminatory restrictions that

are contrary to the letter and spirit of the Convention

60 In the context of ongoing deliberations to strengthen the Biological Weapons Convention (BWC), the Ministers emphasised that, given the importance of biotechnology for economic development, any verification regime for the Biological Weapons Convention should contain specific provisions to safeguard the security and economic interests of the developing countries, parties to the BWC. The strengthening of the BWC should provide for ensured access for peaceful purposes to the relevant material, equipment and technologies for their economic growth. While asserting that the Biological Weapons Convention inherently precludes the use of biological weapons, the Ministers emphasized their support for the explicit prohibition of the use of these weapons in the Convention. In this connection the Ministers noted that the Islamic Republic of Iran has formally presented a proposal to amend Article I of the title of the Convention to include the prohibition of use of biological weapons and urged an early reply from the state signatories to the inquiries by the depositories on this proposal.

61. The Ministers reaffirmed that global and regional approaches to disarmament are complementary and could be pursued simultaneously. They urged States in various regions of the world to negotiate agreements to promote greater balance in conventional armaments and restraint in the production and acquisition of conventional arms and, where necessary, for their progressive and balanced reduction, with a view to enhancing international and regional peace and security. They stressed that the peaceful resolution of regional and inter-State disputes is essential for the creation of conditions which would enable States to divert their resources from armaments to economic growth and development. Regional disarmament initiatives, to be practical, needed to take into account the special characteristics of each region and enhance the security of every state of the region concerned. The question of accumulation of conventional weapons beyond the legitimate requirements of states for self-defence

should also be addressed, taking into account the special characteristics of each region.

62. The Ministers considered the establishment of Nuclear-Weapon-Free Zones (NWFZs) as a positive step towards attaining the objective of global Nuclear Disarmament. They urged States to conclude agreements with a view to creating nuclear-weapon free zones in regions where they do not exist, in accordance with the provisions of the Final Document of SSOD-1. In this context, they welcomed the establishment of nuclear-weapon-free zones established by the Treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba. The Ministers considered the question of the establishment of Nuclear-Weapon-Free Zones in other parts of the world and agreed that this should be on the basis of arrangements freely arrived at among the states of the region concerned and in conformity with the provisions of the Final Document of SSOD-I. The Ministers welcomed the effort of Mongolia to institutionalise its status as a nuclear-weapon-free zone.

63. The Ministers reiterated their support for the establishment in the Middle East of a zone free of all weapons of mass destruction. To this end, the Ministers reaffirmed the need for the speedy establishment of a nuclear-weapons-free zone in the Middle East in accordance with the relevant General Assembly resolutions adopted by consensus. They called upon all parties concerned to take urgent and practical steps towards the establishment of such a zone and, pending its establishment, they called on Israel, the only country in the region that has not joined the NPT nor declared its intention to do so, to renounce possession of nuclear weapons, to accede to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) without delay, and to place promptly all its nuclear facilities under full-scope IAEA safeguards. They expressed great concern over the acquisition of nuclear capability by Israel which poses a serious and continuing threat to the security of neighbouring and other States and they condemned Israel for continuing to develop and stockpile nuclear arsenals. Stability can not be achieved in a region where massive imbalances in military capabilities are

maintained particularly through the possession of nuclear weapons which allow one party to threaten its neighbours and the region. They further welcomed the initiative by H.E. Mohammed Hosni Mubarak, President of the Arab Republic of Egypt, on the establishment of a zone free from weapons of mass destruction in the Middle East. They stressed that necessary steps should be taken in different international fora for the establishment of this zone. They also called for the total and complete prohibition of the transfer of all nuclear-related equipment, information, material and facilities, resources or devices and the extension of assistance in the nuclear-related scientific or technological fields to Israel.

64. The Ministers welcomed the signing of "The African Nuclear-Weapon-Free Zone Treaty" (Treaty of Pelindaba) in Cairo on 11 April, 1996 and affirmed that this treaty will further consolidate global efforts towards non-proliferation and contribute to the strengthening of international peace and security. The Ministers further affirmed that the establishment of NWFZs, especially in the Middle East, would enhance the security of Africa.

65. Consistent with the decisions adopted by the 1995 Review and Extension Conference, the Ministers of States Parties to the NPT called upon all states, particularly the nuclear weapon states, to fulfill their commitments, particularly those related to Article VI of the Treaty. They also emphasised the need to ensure and facilitate the exercise of the inalienable right of all parties to the NPT to develop research, production and use of nuclear energy for peaceful purposes without discrimination. Undertakings to facilitate participation in the fullest possible exchange of equipment, material and scientific and technological information for the peaceful uses of nuclear energy should be fully implemented. In this context, the Ministers of the States Parties to the NPT called upon the Preparatory Commissions up to and including the 2000 Review Conference of the NPT to engage immediately in substantive work for the meaningful implementation of the obligations under the

Treaty and the commitments in the 1995 Principles and Objectives document.

66. The Ministers of States signatories to the Comprehensive Nuclear Test Ban Treaty (CTBT) took note of the opening of the CTBT for signature in 1996. They agreed that if the implications of the treaty are to be fully realized, the continued commitment of all State signatories, especially the nuclear weapon states, to nuclear disarmament will be essential.

67. The Ministers stated that in order to enhance international security and stability, all States Parties to non-proliferation, arms limitations and disarmament treaties should comply with and implement all provisions of such treaties. They emphasized that questions of non-compliance by States Parties should be resolved in a manner consistent with such treaties and international law. They further emphasized that any deviation from the role envisaged for the Security Council under the UN Charter or in certain circumstances under multilateral treaties on non-proliferation, arms limitation and disarmament would undermine the provisions of these treaties and conventions, including the inherent mechanisms for securing redress of violations of their provisions. Such deviations would also call into question the value of painstaking multilateral negotiations on disarmament and arms control treaties in the Conference on Disarmament. They underlined that circumventing or undermining the provisions of existing treaties will seriously prejudice the role of the Conference.

68. The Ministers expressed particular concern over the illicit transfer and the proliferation of small arms and light weapons and their accumulation in many countries, which constituted a threat to the population and to national and regional security and were a factor contributing to destabilization of states. They urged states to take steps to deal effectively, through administrative and legislative means, with the increasing problem of illicit transfers of weapons, particularly small arms, which exacerbate tensions leading to strife, conflict and terrorism and impact negatively on

the socio-economic development of affected countries. In this regard, they welcomed the adoption of guidelines in 1996 for international arms transfers in the context of General Assembly resolution 46/36H of 6 September 1991 by the UN Disarmament Commission.

69. The Ministers welcomed the various bans, moratoria and other restrictions already declared by States on anti-personnel landmines and the growing consensus against the indiscriminate use and transfer of anti-personnel landmines. They also took note of the efforts to eliminate them as early as possible. In this regard the Ministers welcomed the decision taken by the Central American countries to constitute their region as an anti-personnel landmines free zone. The Ministers underlined that any negotiations to ban landmines should take into account the legitimate national security concerns of States as well as their legitimate rights to use appropriate measures for self-defence. They called for urgent and specific measures to ensure that affected countries had full access to material, equipment, technology and financial resources for mine clearance. Access to non-lethal technologies being developed to perform the legitimate defensive role of landmines would help generate support for their elimination. The Ministers also called for continued humanitarian assistance for victims of landmines.

70. The Ministers expressed concern about the residue of the Second World War, particularly in the form of landmines which cause human and material damage and obstruct development plans in some Non-Aligned countries. They called on the States responsible for laying the mines outside their territories to assume responsibility for the landmines, to cooperate with the affected countries, to provide the necessary information, maps and technical assistance for their clearance, to contribute towards defrayal of the costs of clearance and provide compensation for any ensuing losses.

71. The Ministers noted with concern that undue restrictions on export to

developing countries of material, equipment and technology for peaceful purposes persist. The Ministers emphasized that proliferation concerns are best addressed through multilaterally negotiated, universal, comprehensive and non-discriminatory agreements. Non-proliferation control arrangements should be transparent and open to participation by all States and should ensure that they do not impose restrictions on access to material, equipment and technology for peaceful purposes required by developing countries for their continued development.

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